

ATTITUDES TOWARDS PRIVATEERING DURING THE ERA OF  
THE EARLY AMERICAN REPUBLIC

A Senior Honors Thesis

by

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Submitted to the Office of Honors Programs  
& Academic Scholarships  
Texas A&M University  
In partial fulfillment of the requirements of the

UNIVERSITY UNDERGRADUATE  
RESEARCH FELLOWS

April 2007

Major: History

## ABSTRACT

### Attitudes towards Privateering during the Era of the Early American Republic (April 2007)

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Lacking sufficient funds to build and maintain a sizeable navy, the young United States was forced to employ privateers as a “stop-gap navy” in its struggles against stronger sea powers during the War for Independence, the Quasi War, and the War of 1812. Many American leaders opposed privateering on moral grounds, but felt compelled to employ it. Merchants and seamen were generally more supportive, wither because their usual employment, fishing and peaceful commerce, was denied them when enemies hovered outside American ports and began seizing American ships, or because privateering offered the prospect of quick and large profits. Sailors preferred service in

privateers to enlisting in the navy because discipline tended to be less rigorous in privateers than in warships, privateers appeared safer since their captains generally tried to avoid combat with enemy men of war, and privateers offered the prospect of more prize money from the sale of captured ships. Officers in the Continental and United States Navy usually opposed privateering because privateers competed with them for recruits and for naval stores to fit their ships out for sea. Though controversial, it cannot be denied that privateering proved effective. The attacks launched by the private vessels on British and French commerce forced those governments to assign naval forces to protect their shipping. At home, privateering brought a level of prosperity to several American seaports that those communities had not experienced before. Despite its development of a regular navy during the nation's first half century of independence, the United States continued to employ privateering as an integral part of its defense policy, attitudes toward the practice remained the same, merchants eagerly invested in privateering expeditions, and sailors viewed it as an attractive alternative to service in the regular Navy.

I dedicate this work to  
Dr. Jim Bradford,  
teacher, mentor, and friend.

## ACKNOWLEDGEMENTS

I'd especially like to thank Dr. James C. Bradford for his extensive help with researching and writing this thesis. I'd also like to thank the Texas A&M Office of Honors Programs and Academic Scholarships for the SUURF scholarship I received which allowed me to travel to Washington D.C. to research at the Naval Historical Center in the Navy Yard, and the Glasscock Center for Humanities for their generous financial support which also facilitated my research. Finally, many thanks to historians Charles Brodine, Christine Hughes, and Dennis Conrad for taking the time to guide me through my research at the Naval Historical Center.

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## I. INTRODUCTION<sup>1</sup>

Oceanic trade played a significant role in the economy of the young United States. America's farmers and planters harvested wheat, tobacco, rice, and other agricultural products, its forests yielded lumber and barrel staves, and its fishermen caught and processed cod, haddock, and other fish for sale to markets around the Atlantic Ocean, West Indies, and Mediterranean Sea. Americans also imported raw materials such as sugar from the Caribbean and manufactured goods from Europe. Duties on this trade were a mainstay of government revenues. During the first half century of the new nation's independence, much of Europe was at war in conflicts that engulfed the entire Atlantic World, thereby endangering the maritime trade which Americans depended upon. During that era, the young republic could not afford to build and maintain a navy large enough to protect its interests at sea. Thus, Americans were forced to rely on privateering to retaliate against the merchant shipping of nations who preyed upon our commerce or blockaded our coasts. It was a controversial policy as many Americans viewed privateering to be little more than legalized piracy. Other Americans supported the practice as a means to harness

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<sup>1</sup> This thesis follows the style and format of the *Chicago Manual of Style*.

private enterprise to public service, as a way to provide employment for American ships and seamen that laid idle when enemy naval forces and privateers blocked their peacetime employment in fishing or commerce, or to inflict economic hardship on the enemy similar to that the enemy inflicted upon the people of the United States. A person or group's view of privateering often reflected how they were affected by it. The intensity of feelings varied, and many individuals had mixed feelings toward privateering. Benjamin Franklin, for example, was philosophically opposed to privateering but employed it during the American Revolution in the hope that American privateers would capture British seamen who could be exchanged for American sailors held captive in British prisons.<sup>2</sup> Irregardless of one's attitude toward the practice, privateering was necessary in this time period. In addition to not being able to afford a large navy, the United States government could itself profit from privateering, as the government heavily taxed the ships and cargoes the privateers captured. During the War for Independence, American privateers captured supplies en route to British forces in North America and diverted them to

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<sup>2</sup> Clark, William B. *Ben Franklin's Privateers* (Baton Rouge, La.: Louisiana State University Press, 1956), v.



use by Patriot forces. It can not be denied that privateering contributed significantly to America's wars with Great Britain and France during the late eighteenth and early nineteenth centuries. Indeed, privateers inflicted more damage on British merchant shipping than did American naval forces. During the War for Independence, privateers captured ten times as many British ships as did warships of the Continental Navy<sup>3</sup> and during the War of 1812, privateers captured 39 million dollars worth of goods, almost six times the 6.6 million dollars worth of good captured by ships of the U.S. Navy.

Despite this contribution to the American war effort, privateering remained controversial. While some observers believed that privateering was "an enterprise that could not but appeal to the American temperament . . . ," others condemned it arguing that privateers rarely went to sea for patriotic reasons, but mainly for their own economic gain.<sup>4</sup> Many of these people considered it immoral to profit from war. Other individuals ignored considerations of patriotism and morality, but

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<sup>3</sup> Dull, Jonathan R. "Was the Continental Navy a Mistake?" *The American Neptune*, 44: 3, 169.

<sup>4</sup> Forester, C.S. *The Age of Fighting Sail: The story of the Naval War of 1812* (Garden City, N.Y.: Doubleday, 1956), 85, 92-93.

questioned whether the resources consumed by privateering could be better used in other ways, e.g., would the cordage, sailcloth, cannon, and ship's provisions consumed fitting out privateers be better devoted to building a larger navy, or, would it be better to assign the men involved in privateering to service in the army or navy, or to coastal defense? These questions occupied Americans from the Revolution through the War of 1812, the attitudes expressed over that forty year period changed as the U.S. Navy grew in importance but still changed little, and a consensus never emerged concerning the legitimacy or utility of employing privateering as a part of national defense policy.

Most books on the foreign wars of the young United States, the War for Independence, the Quasi War with France, and the War of 1812, devote a chapter or two to privateers.<sup>5</sup> The few books devoted to privateering have generally focused on specific voyages,<sup>6</sup> or aspects of privateering, such as the vessels employed or the

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<sup>5</sup> Fowler, William M. *Rebels Under Sail* (New York: Scribners, 1976) and Michael A. Palmer *Stoddert's War: Naval Operations during the Quasi War with France, 1798-1801* (Columbia, S.C.: University of South Carolina Press, 1987).

<sup>6</sup> McManemin, John A. *Revolution on the High Seas: A History of Maritime Massachusetts during the Revolutionary War* (Spring Lake, N.J.: Ho-Ho-Kus Pub. Co., 1988).

financing of voyages, or on privateering in a particular region.<sup>7</sup> However, none of these works assess in any systematic way the attitudes of contemporaries towards the practice of privateering, which is the focus of this study.

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<sup>7</sup> Garitee, Jerome R. *Republic's Private Navy: The American Privateering Business as Practiced by Baltimore During the War of 1812* (Middletown, Conn.: Wesleyan Univ. Press, 1977).

## II. THE WAR FOR INDEPENDENCE

During the mid-eighteenth century wars fought between England and her French and Spanish colonial rivals, significant numbers of Americans invested and engaged in privateering, even though many of their countrymen frowned on the practice.<sup>8</sup> During those conflicts, Britain's Royal Navy had generally dominated the Atlantic and protected American commerce, so privateering was less a defensive necessity than an avenue to profits. When conflict arose between Britain and thirteen of her North American colonies in the mid-1770s, vessels of that same British navy began preying on American shipping, the Americans did not have a navy of their own, and thus they needed a way to retaliate against the British. Therefore, many Americans felt necessity outweighed opposition to privateering on moral grounds. The opportunity to make money by investing in privateering ventures or going to sea in ships bearing letters of marque, i.e., privateering licenses,

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<sup>8</sup> Carl Swanson, *Predators and Prizes: American Privateering and Imperial Warfare, 1739-1748*. Columbia, S.C.: University of South Carolina Press, 1991; James C. Bradford, "Two Centuries of Warfare for Profit: French and American Privateering, 1680-1865," in *Pirates*, ed. by David Cordingly. London: Salamander Books, 1996, 164-87.

added to their support for employing the system. There was debate in Congress about whether or not to authorize privateering, and as early as November of 1775 privateering was authorized, but only against enemy warships, transports, and supply ships.<sup>9</sup> However, as hostilities and necessity grew, on 23 March 1776 Congress passed an act allowing attacks on enemy merchantmen, and it was not long until privateering became one of America's leading industries during the War for Independence.<sup>10</sup> Recipients of letters of marque were required to post bonds of between five and ten thousand dollars which they would lose if they violated the regulations governing the conduct of privateering.<sup>11</sup> Even those not directly involved in the practice of privateering could benefit monetarily, as John Adams profited from taking legal cases involving privateering.

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<sup>9</sup> Bradford, *French and American Privateers*, 170.

<sup>10</sup> J. Franklin Jameson from Morgan, William James, American Privateering in America's War for Independence, 1775-1783, *The American Neptune*, 62 vols., 36: 84.

<sup>11</sup> Booker, Marshall. "Privateering from the Bay, Including Admiralty Courts and Tory as well as Patriot Operations," in Eller, Ernest M. *Chesapeake Bay in the American Revolution*, 1<sup>st</sup> ed. (Centreville, Md.: Tidewater Publishers, 1981), 266.

Many government officials advocated privateering in the War for Independence because of their concern for the welfare of the nation. Both John Adams and Thomas Jefferson supported privateering because it provided employment for idle mariners and put pressure on Great Britain to end the war and recognize American independence.<sup>12</sup> In July of 1775, Jefferson's letter to George Gilmer indicates that he is intrigued by privateers,<sup>13</sup> seeing them as a means to "clear the seas and bays" of British ships. He further believed that the privateers could "visit the coasts of Europe" to disrupt trade.<sup>14</sup> On 12 August 1776, Adams expressed a similar hope that privateering would reopen trading lanes.<sup>15</sup> Following American independence Jefferson, in particular, preferred privateering to a large navy because it kept military expenses down and provided a venue for the citizen soldier, two guiding themes of

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<sup>12</sup> John Adams Notes of Debates, 4/12/1776, Paul H. Smith, ed., Letters of Delegates to Congress, 10 vols. (Washington, D.C.: Library of Congress, 1976-1983), 3: 514.

<sup>13</sup> Thomas Jefferson to George Gilmer, 7/5/1775, Paul H. Smith, ed., Letters of Delegates to Congress, 1: 585.

<sup>14</sup> Thomas Jefferson to Francis Epps, 7/4/1775, Paul H. Smith, ed., Letters of Delegates to Congress, 1: 581.

<sup>15</sup> John Adams to Abigail Adams, 8/12/1776, Paul H. Smith, ed., Letters of Delegates to Congress, 4: 659.

Democratic-Republican ideology.<sup>16</sup> South Carolina delegate to the Congress Henry Laurens was one of the strongest supporters of privateering, writing in October of 1777 that the practice could help America “gain ground as independent people,” saying that damage inflicted on British shipping could lead its government to accede to American demands for independence.<sup>17</sup> Benjamin Franklin was not as strong of a supporter of privateering as Adams and Jefferson because he morally opposed the practice<sup>18</sup> but he ended up investing in privateering in order to gain an advantage on the British by using the success of the practice as a bargaining chip to recover captured Americans and as a means to gain importance in “the eyes of the commercial states.”<sup>19</sup> Robert Morris, a leading merchant before the Revolution, shared Franklin’s views. At the onset of hostilities, he too opposed privateering on moral grounds, but by 25 April 1777 changed his mind in response to the atrocities

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<sup>16</sup> Symonds, Craig. *Navalists and Antinavalists: The Naval Policy Debate in the United States, 1785-1827* (Newark, Del.: University of Delaware Press, 1980), 13.

<sup>17</sup> Henry Laurens to John Lewis Gervais, 10/22/1777, Paul H. Smith, ed., *Letters of Delegates to Congress*, 8: 160.

<sup>18</sup> Burns, Walter F. *Captain Otway Burns: Patriot, Privateer, and Legislator* (New York, [n.p.], 1905), 166.

<sup>19</sup> Benjamin Franklin to Samuel Cooper, 10/25/1776, Paul H. Smith, ed., *Letters of Delegates to Congress*, 5: 385.

of impressment and the other offenses the British were inflicting upon Americans, saying that his “scruples about Privateering are all done away.”<sup>20</sup>

With the Royal Navy dominant at sea and the British blockade crippling American businesses, the success of privateers in getting goods in and out of American ports provided both economic benefits and a lift to American morale that helped to keep “the flame of patriotic resistance flickering.”<sup>21</sup> During the War for Independence, ship owners and seamen supported and participated in privateering for economic reasons. In 1776, Robert Morris wrote to Silas Deane informing the diplomat that those “who have engaged in Privateering are making large Fortunes in a most Rapid manner.”<sup>22</sup> At first, it was mainly veteran sailors who manned privateers, but later in the war landmen with no previous experience as seamen began participating in privateering in an attempt to make large amounts of money quickly.

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<sup>20</sup> Robert Morris to William Bingham, 4/25/1777, Paul H. Smith, ed., *Letters of Delegates to Congress*, 6: 651.

<sup>21</sup> Morgan, William James, “*American Privateering*,” 86.

<sup>22</sup> Robert Morris to Silas Deane, 9/12/1776, Paul H. Smith, ed., *Letters of Delegates to Congress*, 5: 147.



Some segments of the American population not directly participating in privateering seemed pleased with their success, as captures by the privateers made available luxury goods and a degree of prosperity that had not been seen in America before. However, there were other Americans who did not support privateering. While the privateers did provide goods and a high level of prosperity, their lavish spending of the wealth they accumulated led to inflation which “gnawed at civilian morale.”<sup>23</sup> These same Americans viewed privateers as greedy war profiteers, critical of the privateers’ lifestyles at a time when George Washington’s troops starved. In fact, as word of the financial success of privateers reached the ears of the suffering Continental soldiers, it, in the words of Nathaniel Greene, “distracted the troops” from their duties.<sup>24</sup> Another portion of American society, idealists, also opposed privateering. As late as the spring of 1776, Americans who continued to hope for reconciliation with Great Britain wished to take only defensive action against the Mother Country and therefore rejected privateering as too antagonistic,

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<sup>23</sup> Miller, Nathan. *Sea of Glory: The Continental Navy Fights for Independence, 1775-1783* (New York: D. McKay Co., 1974), 261.

<sup>24</sup> Miller, Nathan. *Sea of Glory*, 262.

fearing it would raise British animosity toward the Americans.<sup>25</sup> To them, privateering threatened to create an irreparable break between Great Britain and the colonies. On 12 September 1776, Robert Morris explained his original disdain for privateering by saying that the business did not “Square with my Principles for I have long had extensive Connections & Dealings with many Worthy Men in England. . . .”<sup>26</sup> Officers in the Continental Navy were the most strident opponents of privateering because the more than two thousand vessels engaged in the practice competed with them for recruits and naval stores.<sup>27</sup> Many naval officers blamed the higher wages offered by privateers, the greater opportunities they offered for prize money, and the looser discipline aboard privateers for the high rate of desertion during the war—almost one in five Continental sailors deserted during the war. The fact that the Continental Congress and state governments retained two-thirds of all proceeds from the sale of prizes taken by public warships while owners of privateers

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<sup>25</sup> Morgan, William James, “*American Privateering*,” 81.

<sup>26</sup> Robert Morris to Silas Deane, 12 September 1776, Paul H. Smith, ed., *Letters of Delegates to Congress*, 5: 147.

<sup>27</sup> Morison, Samuel Eliot. *John Paul Jones: A Sailor’s Biography* (New York: Time Inc., 1964), 109.

retained only one-half to two-thirds of the proceeds—contracts varied—meant that sailors in privateers shared a greater proportion of the value of their captures added to the attraction of serving in privateers instead of warships.

Their opposition to the government's policy of authorizing privateering did not stop several Continental Navy officers from turning to privateering when the service did not provide them with steady employment. The result was "an incredible mish mash of confused accounts and conflicts of interest in which the Continent often came out on the short end."<sup>28</sup> Simply put, the quality of navy personnel suffered because of privateering. In fact, William Whipple, a member of the Officer Procurement Committee established by Congress to deal with the problem, thought that "if nothing is done by Congress... the United States Navy will be officered by Tinkers, Shoemakers and Horse Jockeys . . . ."<sup>29</sup> Thus, while the "stop-gap navy" served the country as a whole well, success of the privateers clearly contributed to the lack of a commitment to the Continental Navy and to other problems during the Revolution. Indeed, during the Revolution American privateers captured

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<sup>28</sup> Fowler, *Rebels Under Sail*, 281.

<sup>29</sup> Morison, *John Paul Jones*, 109.

approximately six hundred British merchant ships, far outperforming the Continental Navy.<sup>30</sup>

Irregardless of its contribution to the war effort, privateering remained controversial. Both Thomas Jefferson and Benjamin Franklin had been ambivalent toward the practice during the war. In 1783, with the war won, Franklin proposed banning privateering as a form of warfare on humanitarian grounds.<sup>31</sup> During the following year, Jefferson, who had recently joined Franklin as a diplomat in Paris, joined him in calling privateering a form of “robbing” and expressed a concern for the national loss of labor that resulted when privateers were manned.<sup>32</sup>

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<sup>30</sup> Bradford, *French and American Privateers*, 175.

<sup>31</sup> Dull, Jonathan R. *Was the Continental Navy a Mistake?*, 169.

<sup>32</sup> American Commissioners to De Thulemeier, 10 November 1784, Boyd, Julian P., et al., eds. *The Papers of Thomas Jefferson*, 32 vols. to date (Princeton, N.J.: Princeton University Press, 1950- ), 7: 492.

### III. THE QUASI WAR

The end of the War for Independence brought with it an end to the need for privateering, the discharge of the officers and men of the navy and the sale of the warships of the Continental Navy.<sup>33</sup> For over a decade, the new nation was without a naval force until the outbreak of the Quasi War again necessitated the establishment of forces to defend American interests at sea. Fought between 1798 and 1800, this undeclared naval war with France led to the establishment of the United States Navy and to a resumption of privateering.<sup>34</sup> The new conflict was the product of the war between Britain and France which began in 1793 and led almost immediately to the seizure by both sides of American ships caught trading with the other. This coincided with a declaration of war on the United States by the North African city-state of Algiers in 1794. Congress began debating how the United States should respond to these threats as the Algerians had little maritime trade, meaning that privateering would not be an effective counter to their depredations. However, Britain's merchant marine was the largest in the world. Thus the utility of

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<sup>33</sup> Bradford, *French and American Privateers*, 176.

<sup>34</sup> Palmer, *Stoddert's War*, 20.

privateering quickly became a topic of debate, with one congressman arguing that privateering would distress the enemy more than any other mode of defense, adding that the “great naval powers of Europe show themselves sensible of this, by proposing to the United States to abolish privateering.”<sup>35</sup> The first steps were taken to establish a fleet with the authorization of construction of six frigates, but the act providing for those vessels included a provision that all work would cease if peace were concluded with Algiers. Such a peace was signed within a year and, after again debating the wisdom of constructing a navy, Congress authorized completion of three of the warships, but ordered work stopped on the other three. In 1796, the United States and Great Britain signed the Jay Treaty, solving many of their disputes, but the French viewed the treaty as virtually an Anglo-American economic alliance against them and retaliated by stepping up their seizure of American merchant ships.

Discussion of defense moved to the fore once again. After the ratification of the Constitution, a number of congressmen hoped to use the power of the new government to establish a navy capable of protecting American maritime interests

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<sup>35</sup> *Abridgement of the Debates of Congress, from 1789 to 1856*, from Gales and Seatons’ Annals of Congress (New York: D. Appleton, 1861), 4: 69.

and winning respect for it abroad. When political parties were formed, most of them became Federalists and were not satisfied with a small navy augmented by privateers. They proposed construction of a large fleet capable of countering both foreign navies and enemy privateers. Federalists tended to oppose privateering because they believed that depending on privateers might postpone any significant build up of the U.S. Navy. When the crisis with France led to a series of defense measures, among them the creation of the Navy Department on 16 April 1798, the officers of the new U.S. Navy opposed privateering just as their counterparts in the Continental Navy opposed privateering during the War for Independence. However, Congress authorized privateering on 25 June 1798. By 1 March of the following year, 365 privateers were commissioned.<sup>36</sup> As the conflict with France progressed and work was completed on ships for the new navy, competition from privateers continued to make it difficult for their commanding officers to recruit enough sailors to man their ships.

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<sup>36</sup> Allen, Gardner W. *Our Naval War with France* (Hamdon, Conn.: Archon Books, 1967), 59.

The officers joined Federalist congressmen in opposing privateering, not just because they competed for men and supplies, but also because they knew that privateersmen were not likely to engage French warships and that the French Navy would be left free to attack U.S. commerce. As the conflict progressed their predictions came true. Few American privateers engaged their French counterparts, but American warships produced tangible results by capturing 49 French merchantmen, many of them privateers, and three French warships, a “rather impressive” record for the new navy.<sup>37</sup>

Benjamin Stoddert, appointed by Adams as the first secretary of the navy, made protecting commerce one of his objectives while in office, and with the U.S. Navy experiencing success against the French, many Americans became enthusiastic about the possibility of building a large navy.<sup>38</sup> The public became less receptive to arguments by Republican congressmen, most of them Antinavalist, opponents of a large navy who continued to argue that privateering could effectively protect American interests at sea and also serve to save the country money in the long run.

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<sup>37</sup> Symonds, *Navalists and Antinavalists*, 71.

<sup>38</sup> Symonds, *Navalists and Antinavalists*, 73.



They argued that maintaining a large fleet during peacetime would prove very costly, while privateers would cost the government, and therefore the American taxpayers, nothing because they could return to supporting themselves by carrying trade goods. Additionally, Representative John Nicholas of Virginia argued that possession of a large naval force could prove dangerous, perhaps so dangerous that it would provoke a conflict with Great Britain if that nation felt challenged by it. Nevertheless, national enthusiasm for a naval force was high, and in 1799 Congress passed a bill which appropriated over 1.2 million dollars for construction of battleships, dockyards, and timber lands.<sup>39</sup> Despite the successes of and support for privateers, the success of the U.S. Navy—which captured eighty-five French ships, including two frigates and numerous privateers during the Quasi War— gave the Navy greater importance in the eyes of most Americans.

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<sup>39</sup> Symonds, *Navalists and Antinavalists*, 79.

#### IV. THE WAR OF 1812

Peace with France in 1800 meant an end to privateering, but unlike after the War for Independence, the U.S. Navy was not disbanded after the Quasi War because of the threat of the Barbary Corsairs and the rise of prominence of the U.S. Navy. Even so, the U.S. government would not continue to commit large amounts of money to maintain and expand the navy. In fact, Congress would only agree to a minute provision for the purchase of timber, in part because Republicans who controlled the government after 1801 made cutting both taxes and the national budget one of their highest priorities while others feared that the possession of naval forces would lead inevitably to war.<sup>40</sup> Antinavalists feared that a “temporary national enthusiasm for the navy to gain authorization for a postwar battle fleet...would then serve as an instrument for continued involvement in European political struggles.”<sup>41</sup> Thus, if the United States was again drawn into war, it would again be forced to depend at least in part on privateers to conduct operations at sea.<sup>42</sup>

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<sup>40</sup> Hickey, Donald R. *The War of 1812: A Forgotten Conflict* (Urbana: Univ. of Illinois Press, 1989), 8.

<sup>41</sup> Symonds, *Navalists and Antinavalists*, 179.

<sup>42</sup> Forester, *The Age of Fighting Sail*, 14.

Great Britain and France had signed the Treaty of Amiens in 1802 ending their on-again-off-again war, but the peace lasted only two years and when war again broke out between the two, both began again to prey on American commerce.

Thomas Jefferson, now president, told Congress that our coasts “have been infested and our harbours watched by private armed vessels...They have captured...not only the vessels of our friends coming to trade with us, but our own also.”<sup>43</sup> While concerned with defending American commercial interests and the nation’s image abroad, he worried about both the cost and the danger to civil liberties posed by standing military forces.<sup>44</sup> As a result, Jefferson advocated the use of privateers to clear out coasts of enemy ships and to put pressure on their government by attacking their commerce. In addition, Jefferson, still opposed to building a large ocean-going navy, called for construction of a fleet of gunboats that could drive off the enemy privateers. This did not work and less than a decade later the United States and Britain went to war, with issues of maritime rights prominent among the causes.

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<sup>43</sup> President Jefferson to the House of Representatives and Senate, 3 December 1805, *American State Papers: Foreign Relations* (Boston: T.B. Wait and Sons, 1817), 1:66.

<sup>44</sup> McDonald, Michelle Craig. “The Chance of the Moment: Coffee and the New West Indies Commodities Trade,” *William and Mary Quarterly*, 3<sup>rd</sup> series, 62: 471.

With only a small navy, Americans turned again to privateering. On 18 December 1812, Richard Cutts, a member of the House of Representatives from Massachusetts, moved to authorize the building of ten ships of war. Cutts had the support of most Federalist representatives, but was opposed by most of his fellow Republicans, and his motion was lost by a great majority.<sup>45</sup> The Republicans in government did not want to expand the regular navy because they planned to rely on privateers, who were attractive because they posed no threat to republican institutions and were also cheap when compared to building and maintaining a large navy, themes also seen during the Quasi War.<sup>46</sup> Depending on it also appealed to the idea of citizen soldiers striking back at the British. Before privateering was authorized, the American people “could hardly do more than merely endure the insults... with resignation . . . .”<sup>47</sup>

Once the federal government authorized privateering in June of 1812, there was much enthusiasm amongst Americans.<sup>48</sup> Despite a series of U.S. naval victories

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<sup>45</sup> *Abridgement of the Debates of Congress*, 4: 606.

<sup>46</sup> Hickey, Donald. *The War of 1812: A Forgotten Conflict*, 8.

<sup>47</sup> Forester, C.S. *The Age of Fighting Sail*, 160.

<sup>48</sup> Crawford, *The Naval War of 1812*, 1: 167.

against British warships that raised American naval prestige in both America and England,<sup>49</sup> Republicans continued to prefer to rely on privateering, an enterprise that “could not but appeal to the American temperament.”<sup>50</sup>

The government staked a claim to a portion of the proceeds from the sale of the prizes brought into port from privateers. When some congressmen argued that this would stop many from investing in privateers, Congress passed other acts to encourage the enterprise, e.g., on 31 December 1812, Congress considered legislation to fund pensions for those injured aboard private armed vessels.<sup>51</sup> When some legislators opposed the bill arguing that privateersmen should not receive pensions since they had not in previous wars, Congressman Peter Little of Maryland countered by citing their bravery and ability to annoy enemy commerce as reasons for supporting the bill and it narrowly passed on 21 December 1812.<sup>52</sup> Two months later, on 13 February 1813, privateers were offered further encouragement when Congress authorized payment of twenty five dollars for enemy seamen brought into

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<sup>49</sup> Symonds, *Navalists and Antinavalists*, 173.

<sup>50</sup> Forester, C.S. *The Age of Fighting Sail*, 85.

<sup>51</sup> *Abridgement of the Debates of Congress*, 4: 606.

<sup>52</sup> *Abridgement of the Debates of Congress*, 4: 704.

port as captives.<sup>53</sup> As Britain's Royal Navy tightened its blockade of the American coast, further deterring privateering, Congress lowered the proportion of proceeds of sales of prizes that had to be paid to the government.<sup>54</sup> The government was short of funds, lacked the money to enlarge the navy even if wanted to and thus took these measures to encourage privateering. Rather than cost the government money, it was hoped that privateering would become a source of increased revenue because their prizes were taxed by the government.<sup>55</sup>

Just as in the previous two conflicts, the U.S. Navy opposed privateering. Competition from privateering impeded their recruiting efforts and took away supplies and men. On 30 January 1813, Captain John H. Dent wrote to Secretary of the Navy William Jones that it would be impossible to man the ships in port because the few men there were taken by privateers.<sup>56</sup> SecNav Jones tried to remedy the situation in February of 1813 when he authorized three months advance pay to new

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<sup>53</sup> Hickey, Donald. *The War of 1812: A Forgotten Conflict*, 24.

<sup>54</sup> *Abridgement of the Debates of Congress*, 5: 9.

<sup>55</sup> Hickey, Donald R. *The War of 1812: A Forgotten Conflict*, 9.

<sup>56</sup> Crawford, *The Naval War of 1812*, 2: 36.

recruits who enlisted in the Navy.<sup>57</sup> A year later Captain Charles Gordon wrote to SecNav Jones telling him that this was not enough and that the Navy frequently had to offer bounties of between five and twenty dollars per sailor to simply man their ships.<sup>58</sup> Isaac Hull expressed discontent towards the government for the “great encouragement given to the Privateers. . . .”<sup>59</sup> In 1814, Captain Joshua Barney, commander of gunboats on Chesapeake Bay, also wrote to SecNav Jones expressing contempt for privateers who lured Baltimore’s seamen away from the flotilla service with lucrative bounties.<sup>60</sup> These problems persisted and SecNav Jones wrote to Commodore Isaac Chauncey on 30 November 1814 that “the preference given to the private armed service, from the hope of gain, I fear will much impede our recruiting service.”<sup>61</sup> In addition to competing for men, the U.S. Navy had to compete with

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<sup>57</sup> SecNav Jones to Lt. Col. Wharton, 18 February 1813, Marine Corps Letters Received Collection (RG 127, reel 7), National Archives, Washington D.C.

<sup>58</sup> Crawford, 19 July 1814, *The Naval War of 1812*, 3: 94.

<sup>59</sup> Isaac Hull to SecNav Jones, 7 October 1814, National Archives (RG 45, m 125), Captain’s letters received by SecNav (vol. 7), Washington D.C.

<sup>60</sup> Crawford, 17 November 1814, *The Naval War of 1812*, 3: 352.

<sup>61</sup> Crawford, *The Naval War of 1812*, 3: 671.

privateers for supplies.<sup>62</sup> Ship builders constructed large privateers instead of ships for the U.S. Navy if it was more profitable, as it often was.

After its stunning series of victories in frigate actions during 1812, the prestige of the U.S. Navy suffered in 1813 and 1814 as most of its sea-going warships were bottled up in harbor by the British blockade. Thus, during those years the “only bright spot {in the American war against Britain at sea} was in the continuing depredations of American privateers on British shipping. . . .”<sup>63</sup> When the war drew to an end, the Navy had won great laurels in the frigate actions of 1812, the defeat of the British on Lake Erie in 1813, and the victory on Lake Champlain that stopped the British invasion from Canada. Against these victories stood the Navy’s failure to stop British depredations in the Chesapeake Bay region, including the embarrassing burning of Washington, D.C., and the invasion of Louisiana. Yet during the entire war only twenty-two naval ships had put to sea while 517 privateers set sail to attack British merchantmen. These 517 privateers forced Great Britain to deploy extra ships used as convoys to protect their trade.<sup>64</sup> Admiral Sir John Warren wrote to the

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<sup>62</sup> Crawford, *The Naval War of 1812*, 2: 91.

<sup>63</sup> Symonds, *Navalists and Antinavalists*, 190.

<sup>64</sup> Crawford, *The Naval War of 1812*, 2: 27.



Secretary of the Admiralty John Crocker on 29 December 1812 that attacks on British trade by American privateers had become serious, that more Royal Navy ships had to be sent to North America to control them, and that if no reinforcements were sent, British trade must “inevitably suffer, if not be, utterly ruined and destroyed.”<sup>65</sup> In total, privateers captured 39 million dollars worth of goods, almost six times the 6.6 million dollars worth of good captured by ships of the U.S. Navy.

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<sup>65</sup> Crawford, *The Naval War of 1812*, 1: 650.

## CONCLUSIONS

During the United States' first half century of independence many of its citizens and leaders did not fully approve of privateering, but with a government incapable or not willing to construct a navy large enough to compete on an even basis with France and Great Britain, they had little choice but to employ it as an integral component of national defense policy.

Privateering was not without attractions. First of all, the system provided a way to harness private enterprise to public good. Secondly, they did enjoy a measure of success. Although privateers did not single-handedly win any of the wars of the era, they did contribute to generally positive outcomes for the United States.

Circumstances changed during the era—the government that fought the American Revolution under the Articles of Confederation simply lacked the resources to construct a meaningful navy, the governments under the Constitution that fought the Quasi War with France and the War of 1812 with Great Britain had the power to construct a much larger navy, but its leaders did not wish to do so. The reasons for their decision varied, but the result was a continued reliance on privateering by the young republic.

The dramatic success of the few American frigates against Royal Navy frigates during the War of 1812 altered the outlook of government leaders.<sup>66</sup> When the war ended, there was no slashing of the naval budget or cutback in the number of ships on active duty as there had been after the American Revolution and the Quasi War. Instead, on 29 April 1816, Congress appropriated 8 million dollars to construct nine ships-of-the-line and twelve frigates. Three years later, the depression that began with the Panic of 1819 brought to an end much of the construction. Economy in government again became the rule. Over the next few decades, peace prevailed in the Atlantic Ocean, and there were no serious challenges to Americans' commercial use of those waters. On the eve of the Crimean War the maritime nations of Europe united in the Declaration of Paris (1854) outlawing privateering. That the United States refused, even when pressured by several nations, to sign the document, indicates that its leaders retained a belief that their successors might have cause to again resort to privateering during a time of national emergency. Thus, while the American people had, at best, mixed feelings about privateering, and their government the ability to construct a regular navy, American leaders thought it wise

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<sup>66</sup> Symonds, *Navalists and Antinavalists*, 191.

to retain the right to call private enterprise into government service in the form of privateering should the need arise. Not until the American Civil War, when the Confederate States of American turned to privateering, did the United States government ban forever privateering, the system which had served it well.<sup>67</sup>

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<sup>67</sup> Charles H. Stockton, "The Declaration of Paris," *The American Journal of International Law* (July 1920), 3<sup>rd</sup> ed., 14: 356-368.

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